

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

v.

Criminal No. 17CR00622-101 (FAB)

NASAIN ORTIZ-NIEVES

Defendant

MOTION IN COMPLIANCE WITH COURT ORDER DATED JULY 21, 2020

TO THE HONORABLE FRANCISCO A. BESOSA,
UNITED STATES DISTRICT JUDGE
FOR THE DISTRICT OF PUERTO RICO

U.S. PROBATION OFFICER SILVIA ORTIZ, respectfully submits and
requests as follows:

1) On July 17, 2020, Nassain Ortiz was sentenced to Time Served as to Count One followed by 60 months as to Count Two of the Indictment, charging violations of Title 21, USC §841(a)(1), 846 and 860 and Title 21, USC §924(c)(1)(A).

2) On July 21, 2020, a motion was filed by defense counsel to Amend/Correct the sentence.

3) The undersigned officer sustained communication with the Designation and Sentence Computation Center of the Bureau of Prisons and they stated that in this case both Counts 1 & 2 would be aggregated together with the appropriate jail credit applied to both counts. However, they also recommended that the Judgement and Commitment Order may state the credit needed to be adjusted.

4) Taking into consideration the recommendations made by the Government and by the Defense, the US Probation Office will recommend the following language to be included in page 2 of the Judgement and Commitment Order:

12 months and 1 day for Count 1, as this count is relevant conduct to Cr. No. 14-764 (FAB), and 60 months as to Count Two, to run consecutively with each other.

WHEREFORE, in view of these circumstances, and in an effort to comply with our statutory duty of providing the Court with the most accurate and complete information on Mr. Ortiz, the undersigned U.S. Probation Officer respectfully submits the above-mentioned wording for the Court's reference.

I HEREBY CERTIFY that on July 27, 2020, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the corresponding parties.

In San Juan, Puerto Rico, July 27, 2020.

Respectfully submitted,

LUIS O. ENCARNACION CANALES, CHIEF
U.S. PROBATION OFFICER

s/Silvia Ortiz
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